REMARKS

This paper requests entry of an amendment prompted by a telephone conversation with the Examiner on 8 December 2006, suggesting that if the claims were changed to make express that the communication from another communication device indicating a member of a buddy list is via only a short-range communication device, so that the other communication device is necessarily nearby, the claims would be distinguished from the art applied in the final Office action. With this paper, the claims are amended accordingly, and in addition, the claims are amended to make express that the annunciator produces a stimulus of at least one of either light or sound or vibration (as explained in the application at page 9, line 25). Correspondingly, claims 13 and 30 are canceled. The pending claims are now thus 1-5, 7-12, 14-18, 20-22, 24-29, and 31-38. Of these, the Examiner advised in the 8 December 2006 telephone conversation that claims 15-16 and 32-33 are merely objected to, as indicated in the final Office action (despite the Advisory Action indicating otherwise).

Applicant respectfully submits that since Pabla teaches only providing a text message to a user indicating that a buddy has joined a chat session, the invention as claimed is distinguished from Pabla by recitation of an annunciator providing a stimulus of at least one of either sound or light or vibration. And since although applicant now sees (from the Advisory Action) that although Pabla teaches use of Bluetooth communications, there is no assurance, based on the teachings of Pabla that if a user receives an indication that a buddy has joined a chat session then the buddy is nearby, i.e. within range of a Bluetooth transceiver. This is because the buddy list as taught by Pabla is distributed, i.e. some of the buddies are stored in some nodes and others are stored in other nodes, and none of the buddies of a user are necessarily stored in the communication device used by the user, and thus a user can learn of a buddy joining a session via a

Bluetooth communication between the buddy and another communication device a world away, which then notifies the user. So just because a user is notified of a buddy joining a session, there is no assurance that the buddy is nearby. In contrast, with the invention as now claimed, if a user receives an indication from an annunciator, the user knows that a buddy is necessarily nearby, and as the annunciator as recited provides a stimulus that is at least one of either light or sound or vibration, the user need not be actively using the communication device to be aware that a nearby buddy has been detected. So with the invention, a user can be seated in a restaurant and have in his or her possession a communication device according to the invention but not actively be using the communication device (so that it is merely powered on ready for communication), and if a buddy walks in with a communication device according to the invention, the user will be alerted by a stimulus of either light or sound or vibration, perhaps in mid-conversation with a fellow diner. Pabla does not teach or suggest such a communication device.

Accordingly, applicant respectfully requests that the rejections under 35 USC §102 and 35 USC §103, which are all based at least in part on Pabla, be withdrawn in light of the amendments made here.

Finally, claim 34 is change in a way believed to overcome the grounds for rejection as understood by applicant from the 8 December 2006 telephone conversation with the Examiner. Accordingly, applicant respectfully requests that the rejections of claim 34 under 35 USC §101 and 112, first paragraph, be withdrawn in view of the amendment made here.

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Conclusion

For all the foregoing reasons it is believed that all of the claims of the application are in condition for allowance and their passage to issue is earnestly solicited.

Respectfully submitted,

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